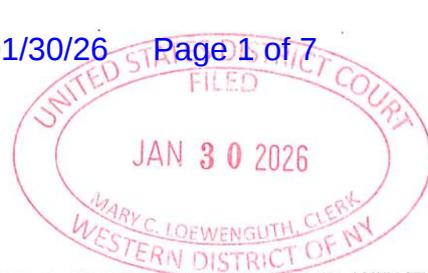


Revised 05/01 WDNV

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



Luke Marshal Wenke

(Name of Plaintiff or Petitioner)

MOTION TO PROCEED *IN FORMA PAUPERIS*
AND SUPPORTING AFFIRMATION

26 -CV- 00181 SLS

v.

(Name of Defendant(s) or Respondent(s))

I, Luke Wenke, (print or type your name) am the plaintiff/petitioner in the above-entitled case and hereby request the Court's permission to proceed *in forma pauperis*.

In support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of this action or to give security therefor and that I believe I am entitled to redress.

I further declare that the responses which I have made in this affirmation below are true.

1. Are you presently employed? Yes No
My Employer's Name and Address is: _____

If you are not presently employed, state
Your Last Date of Employment: Skyy Homes Medical Transportation
Your Gross Monthly Wages at that time: \$2000 per month

Is your spouse presently employed? Yes No
My Spouse's Employer's Name and Address is: _____

My Spouse's Gross Monthly Wages are \$ _____

- 2. Have you received any money from any of the following sources within the past twelve months:
 - a. Business, profession or self-employment? Yes No
If yes, state source and amount received per month \$ 2000
 - b. Rent payments, interest or dividends? Yes No
If yes, state source and amount received per month \$ _____
 - c. Pensions, annuities, disability, or life insurance payments? Yes No
If yes, state source and amount received per month \$ _____
 - d. Gifts or inheritances? Yes No
If yes, state source and amount received per month \$ _____
 - e. Child Support? Yes No
If yes, state amount received each month \$ _____
 - f. Government Benefits (Social Security, SSI, Welfare, AFDC, Veterans, etc.)? Yes No
If yes, state source and amount received per month \$ _____
 - g. Friends, Relatives or any other source? Yes No
If yes, state source and amount received per month \$ _____

If you have not received any money from any of the above sources, please explain how you are currently paying your expenses:
My mother Janet McCaul pays my house expenses while courts hold me for elongated periods of time

3. What is your total gross monthly income today: \$ _____

4. How much cash do you have on hand? \$ _____ \$405 available on commissary, please pay fees ASAP

- 5. How much money do you have in a checking account(s)? \$ _____
- 6. How much money do you have in a savings account(s)? \$ _____
- 7. If you are an inmate of a correctional facility, state the amount of funds in your inmate account (NOTE: prisoners must have inmate account balances certified by an authorized official of the correctional facility and must include a signed Authorization for payment of the filing fee): More than \$405
- 8. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No
If so, describe the property in detail and give an estimated value of the property: _____
If you own property, are you paying off a loan or mortgage on it? Yes No
If yes where are you obtaining the money to make such payments: Mother, Janet McCaully 716-904-0849
- 9. If you are not an inmate, state your total monthly household expenses:
Rent or mortgage \$ _____ Food \$ _____ Utilities \$ _____ All other expenses \$ _____
If your monthly expenses exceed the amount of income you listed in # 3 above, please explain how you are paying your expenses

- 10. List all of the people who are in your household and state the amount of money each one contributes to household expenses each month: _____
- 11. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support: _____
- 12. Have you been adjudicated bankrupt within the past ten (10) years? Yes No
If the answer is yes, please include the court and date of filing _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1/15/26
(Date)

[Signature]
(Applicant's Signature)

PRISON CERTIFICATION SECTION

(Required for Prisoner Requests Only; Prisoner Requests Must Have This Section Completed By Prison Official)

I certify that the movant has the sum of \$ 408.21 on account to his/her credit at the _____
Monroe County Jail Correctional Facility where s/he is currently confined.

I further certify that the movant has the following securities to his/her credit according to the institution's records: _____
Commissary account
I further certify that the movant's average account balance was \$ 3000 during the last six months.

Kelley Newton
Signature of Authorized Officer of Institution
Kelley Newton
Print Name of Authorized Officer of Institution

Revised 05/01 WDNY

AUTHORIZATION

PRISONER'S CIVIL ACTION FILING FEE WESTERN DISTRICT OF NEW YORK

I, (print name) Luke Marshal Wenke, request and authorize the agency holding me in custody, to send to the Clerk of the United States District Court, Western District of New York, a certified copy of the statement for the past six months of my trust fund account (or institutional equivalent) at the institution where I am incarcerated.

I further request and authorize the agency holding me in custody to calculate and disburse funds from my trust account (or institutional equivalent) in the amounts specified by 28 U.S.C. § 1915 (b), to deduct those amounts from my prison trust account (or institutional equivalent), and to disburse those amounts from my account to the United States District Court for the Western District of New York.

This Authorization shall apply to any other agency into whose custody I may be transferred, and to any other district court to which my case may be transferred and by which my poor person application may be decided.

This Authorization is furnished in connection with the commencement of a federal court civil action, and I understand that I must pay the total amount of the filing fee, which is \$350.00.

I understand that by signing this authorization, the entire filing fee of \$350.00 will be paid to the court in installments by automatic deductions from my prison trust fund account even if my case is dismissed before the entire amount of the fee has been deducted from my account.

Dated: 1/15/26, 2026

[Signature]
Signature of prisoner

Luke Wenke
Printed name of prisoner

607742
Inmate number of prisoner

*Ability to pay in full \$425 is available right away.
Mother, Janet McCatal, available at [redacted] if there's issues.*

PS

Resident Account Summary

Transactions from 08/01/2025 to 01/26/2026

(before 1/27's commissary order of \$11)

Resident Funds

Name: WENKE, LUKE
Booking ID: 607742
Resident Number: 250008362
DOB: [REDACTED]
Status: Active
Admit: 12/17/2025
Release: N/A

Account	Beginning Balance	Ending Balance
Trust:	\$0.00	\$419.21
Receivable Aggregate:	\$0.00	\$0.00
Held Funds Trust:	\$0.00	\$0.00

Classifications

Population : **Kosher :** **Cardiac :**
Soft Diet : **Diabetic :** **Muslim :**
Low Lactose : **Pregnancy :** **Nutritional Support :**
Renal : **Allergy :** **Full Liquid :**
Clear Liquid : **Glasses :** **TTO Allowed :**

Transactions

Date/Time	Accounting Event	Description	Account	Amount	Trust	Debt
1/25/2026 1:49:48 PM	Securus Charge	Charge individual for Securus purchase	Trust	(\$1.00)	\$419.21	\$0.00
1/24/2026 5:04:24 PM	Secure Deposit	Receipt: 167921768	Trust	\$45.00	\$420.21	\$0.00
1/24/2026 4:33:08 PM	Secure Deposit	Receipt: 167972107	Trust	\$205.00	\$375.21	\$0.00
1/23/2026 3:31:18 PM	Vending Purchase	Charge for Order 102995642	Trust	(\$2.27)	\$170.21	\$0.00
1/22/2026 4:11:18 PM	Vending Purchase	Charge for Order 102993592	Trust	(\$2.20)	\$172.48	\$0.00
1/21/2026	Vending Purchase	Charge for Order 102991302	Trust	(\$1.89)	\$174.68	\$0.00

Resident Account Summary

Transactions from 08/01/2025 to 01/26/2026

7:01:11 PM						
1/20/2026 7:36:50 PM	Vending Purchase	Charge for Order 102989210	Trust	(\$1.75)	\$176.57	\$0.00
1/20/2026 2:02:36 PM	Securus Charge	Charge individual for Securus purchase	Trust	(\$2.00)	\$178.32	\$0.00
1/20/2026 1:41:49 PM	Vending Purchase	Charge for Order 102988461	Trust	(\$2.27)	\$180.32	\$0.00
1/20/2026 1:17:13 PM	Vending Purchase	Charge for Order 102988369	Trust	(\$2.10)	\$182.59	\$0.00
1/19/2026 11:10:31 AM	Vending Purchase	Charge for Order 102985881	Trust	(\$6.15)	\$184.69	\$0.00
1/19/2026 11:09:42 AM	Vending Purchase	Charge for Order 102985880	Trust	(\$1.89)	\$190.84	\$0.00
1/19/2026 7:37:00 AM	Vending Purchase	Charge for Order 102985446	Trust	(\$1.89)	\$192.73	\$0.00
1/19/2026 7:24:27 AM	Vending Purchase	Charge for Order 102985396	Trust	(\$1.73)	\$194.62	\$0.00
1/16/2026 9:48:51 AM	Vending Purchase	Charge for Order 102979022	Trust	(\$2.27)	\$196.35	\$0.00
1/16/2026 9:48:23 AM	Vending Purchase	Charge for Order 102979021	Trust	(\$1.89)	\$198.62	\$0.00
1/15/2026 3:39:41 PM	Vending Purchase	Charge for Order 102977425	Trust	(\$1.45)	\$200.51	\$0.00
1/15/2026 6:54:10 AM	Secure Deposit	Receipt: 167480925	Trust	\$200.00	\$201.96	\$0.00
1/14/2026 1:32:22 PM	Vending Purchase	Charge for Order 102975283	Trust	(\$2.27)	\$1.96	\$0.00
1/13/2026 9:08:19 PM	Vending Purchase	Charge for Order 102974174	Trust	(\$2.27)	\$4.23	\$0.00
1/13/2026 3:28:39 PM	Commissary Return	Commissary Auto-credit for order: 225613 out of stock items.	Trust	\$6.45	\$6.50	\$0.00
1/13/2026 12:34:20 PM	Vending Purchase	Charge for Order 102972903	Trust	(\$1.35)	\$0.05	\$0.00
1/13/2026 8:59:47 AM	Commissary Sale	Commissary Purchase, Order Number : 225613	Trust	(\$31.62)	\$1.40	\$0.00
1/12/2026 9:01:06 PM	Vending Purchase	Charge for Order 102971942	Trust	(\$2.27)	\$33.02	\$0.00
1/12/2026	Secure Deposit	Receipt: 167317885	Trust	\$35.00	\$35.29	\$0.00

Resident Account Summary

Transactions from 08/01/2025 to 01/26/2026

10:27:08 AM						
1/8/2026 7:35:14 PM	Vending Purchase	Charge for Order 102962563	Trust	(\$1.35)	\$0.29	\$0.00
1/7/2026 6:58:45 PM	Vending Purchase	Charge for Order 102960515	Trust	(\$2.27)	\$1.64	\$0.00
1/6/2026 12:37:50 PM	Vending Purchase	Charge for Order 102957763	Trust	(\$1.89)	\$3.91	\$0.00
1/6/2026 9:02:45 AM	Vending Purchase	Charge for Order 102957368	Trust	(\$2.27)	\$5.80	\$0.00
1/5/2026 7:08:13 PM	Vending Purchase	Charge for Order 102956464	Trust	(\$2.27)	\$8.07	\$0.00
1/5/2026 5:07:31 PM	Commissary Sale	Commissary Purchase, Order Number : 224522	Trust	(\$33.59)	\$10.34	\$0.00
1/5/2026 4:25:04 PM	Vending Purchase	Charge for Order 102956105	Trust	(\$2.10)	\$43.93	\$0.00
1/5/2026 1:00:59 PM	Vending Purchase	Charge for Order 102955627	Trust	(\$2.27)	\$46.03	\$0.00
1/5/2026 12:33:05 PM	Vending Purchase	Charge for Order 102955563	Trust	(\$1.73)	\$48.30	\$0.00
1/5/2026 11:50:45 AM	Secure Deposit	Receipt: 166913699	Trust	\$50.00	\$50.03	\$0.00
1/3/2026 12:31:41 PM	Vending Purchase	Charge for Order 102951341	Trust	(\$2.10)	\$0.03	\$0.00
1/2/2026 8:31:46 PM	Vending Purchase	Charge for Order 102950589	Trust	(\$1.89)	\$2.13	\$0.00
1/2/2026 9:58:25 AM	Vending Purchase	Charge for Order 102948982	Trust	(\$2.27)	\$4.02	\$0.00
1/1/2026 8:56:22 PM	Vending Purchase	Charge for Order 102948321	Trust	(\$2.27)	\$6.29	\$0.00
1/1/2026 3:32:22 PM	Vending Purchase	Charge for Order 102947424	Trust	(\$2.35)	\$8.56	\$0.00
1/1/2026 10:18:04 AM	Vending Purchase	Charge for Order 102946778	Trust	(\$2.27)	\$10.91	\$0.00
12/31/2025 7:48:53 PM	Vending Purchase	Charge for Order 102945945	Trust	(\$2.27)	\$13.18	\$0.00
12/31/2025 7:47:57 PM	Vending Purchase	Charge for Order 102945944	Trust	(\$2.35)	\$15.45	\$0.00
12/31/2025	Vending Purchase	Charge for Order 102945861	Trust	(\$2.35)	\$17.80	\$0.00

Resident Account Summary

Transactions from 08/01/2025 to 01/26/2026

7:04:33 PM						
12/31/2025 6:36:58 PM	Secure Deposit	Receipt: 166601626	Trust	\$20.00	\$20.15	\$0.00
12/31/2025 11:18:16 AM	Vending Purchase	Charge for Order 102944929	Trust	(\$1.45)	\$0.15	\$0.00
12/29/2025 10:03:31 PM	Commissary Sale	Commissary Purchase, Order Number : 223974	Trust	(\$18.33)	\$1.60	\$0.00
12/29/2025 1:54:22 PM	Securus Charge	Charge individual for Securus purchase	Trust	(\$2.00)	\$19.93	\$0.00
12/28/2025 11:15:27 AM	Securus Charge	Charge individual for Securus purchase	Trust	(\$4.00)	\$21.93	\$0.00
12/28/2025 9:27:04 AM	Vending Purchase	Charge for Order 102939181	Trust	(\$2.27)	\$25.93	\$0.00
12/27/2025 3:37:35 PM	Vending Purchase	Charge for Order 102938001	Trust	(\$2.27)	\$28.20	\$0.00
12/27/2025 9:48:37 AM	Vending Purchase	Charge for Order 102937307	Trust	(\$1.73)	\$30.47	\$0.00
12/26/2025 4:21:28 PM	Vending Purchase	Charge for Order 102936403	Trust	(\$2.35)	\$32.20	\$0.00
12/26/2025 3:35:03 PM	Vending Purchase	Charge for Order 102936304	Trust	(\$2.27)	\$34.55	\$0.00
12/26/2025 10:44:56 AM	Vending Purchase	Charge for Order 102935661	Trust	(\$1.45)	\$36.82	\$0.00
12/26/2025 10:03:35 AM	Vending Purchase	Charge for Order 102935544	Trust	(\$1.73)	\$38.27	\$0.00
12/24/2025 10:41:30 AM	Securus Charge	Charge individual for Securus purchase	Trust	(\$10.00)	\$40.00	\$0.00
12/24/2025 8:16:29 AM	Secure Deposit	Receipt: 166274109	Trust	\$50.00	\$50.00	\$0.00